

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD DALTON,

Defendant.

No. 07-CR-40019-DRH

ORDER

HERNDON, District Judge:

Before the Court is a motion to continue trial submitted by Defendant Richard Dalton. (Doc. 22.) The motion is unopposed. Defendant's counsel was only very recently appointed to represent Defendant. The Court finds that trial should be postponed in order to give Defendant's counsel sufficient time to prepare; to do otherwise would visit a manifest miscarriage of justice upon the Defendant. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant in a speedy trial because failure to grant such a continuance would unreasonably deny Defendant's counsel the time necessary to effectively prepare. Therefore, the Court **GRANTS** Defendant's motion to continue. (Doc. 22.) The Court **CONTINUES** the jury trial scheduled for April 23, 2007 at 9:00 a.m. until

June 11, 2007 at 9:00 a.m. The time from the date Defendant's motion was filed, April 15, 2007, until the date on which the trial is rescheduled, June 11, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 19th day of April, 2007.

/s/ David RHerndon
United States District Judge